

JUN-13-2006 TUE 01:04 PM MARGER JOHNSON

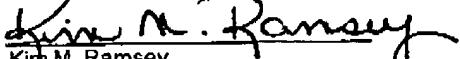
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Kim M. Ramsey

PATENT APPLICATION
Attorney Docket No. 2705-170

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ramesh Kalimuthu et al.

Confirmation No. 4300

Serial No.: 09/944,252

Examiner: Kwang Bin YAO

Filed: August 30, 2001

Group Art Unit: 2616

For: DEVICES, SOFTWARES AND METHODS FOR DYNAMIC
BANDWIDTH ALLOCATION FOR ATM CONNECTIONS

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

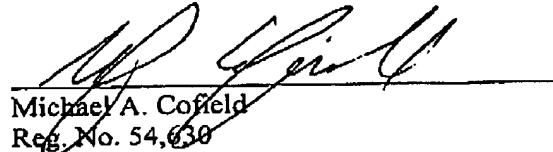
Enclosed for filing in the above-referenced application are the following:

- Petition For New Notice of Allowance and To Withdraw Holding Of
Abandonment And Statement By Michael A. Cofield
- Exhibits A, B and C
- Any deficiency or overpayment should be charged or credited to Deposit Account
No. 13-1703.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.


Michael A. Cofield
Reg. No. 54,630

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PETITION FOR ISSUANCE AND
TO WITHDRAW HOLDING OF ABANDONMENT AND
STATEMENT BY MICHAEL A. COFIELD

1. I hereby petition to withdraw the holding of abandonment in the above referenced patent application and request issuance in accordance with Delgar Inc. v. Schuyler, 172 USPQ 513, on the grounds that the Notice of Allowance forming the basis of the abandonment was not received by Applicant's attorneys.

2. I hereby state:

(a) The Notice of Allowance indicated as mailed on January 9, 2006, was not received. (Exhibit A - USPTO pair-direct search)

(b) A search of the file jacket and the docket records in my office by Gina Henderson, our Docket Manager, indicates that the Notice of Allowance was not received.

3. Attached is a copy of our docket record showing that the Notice of Allowance was not received. Had the Notice of Allowance been received, it would have been entered, which it was not. Instead, our Docket Manager entered "Petition to Revive," which is standard procedure when an unexpected Notice of Abandonment is received instead of the expected Notice of Allowance. (Exhibit B - Case Information for 2705-170)

4. Attached is a Memorandum from Gina Henderson, including screen shots from our electronic database, showing that, according to our database, the status of this patent application is pending and not allowed. (Exhibit C - Memorandum re: 2705-170)

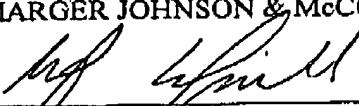
5. In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn.

I, Michael A. Cofield, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.


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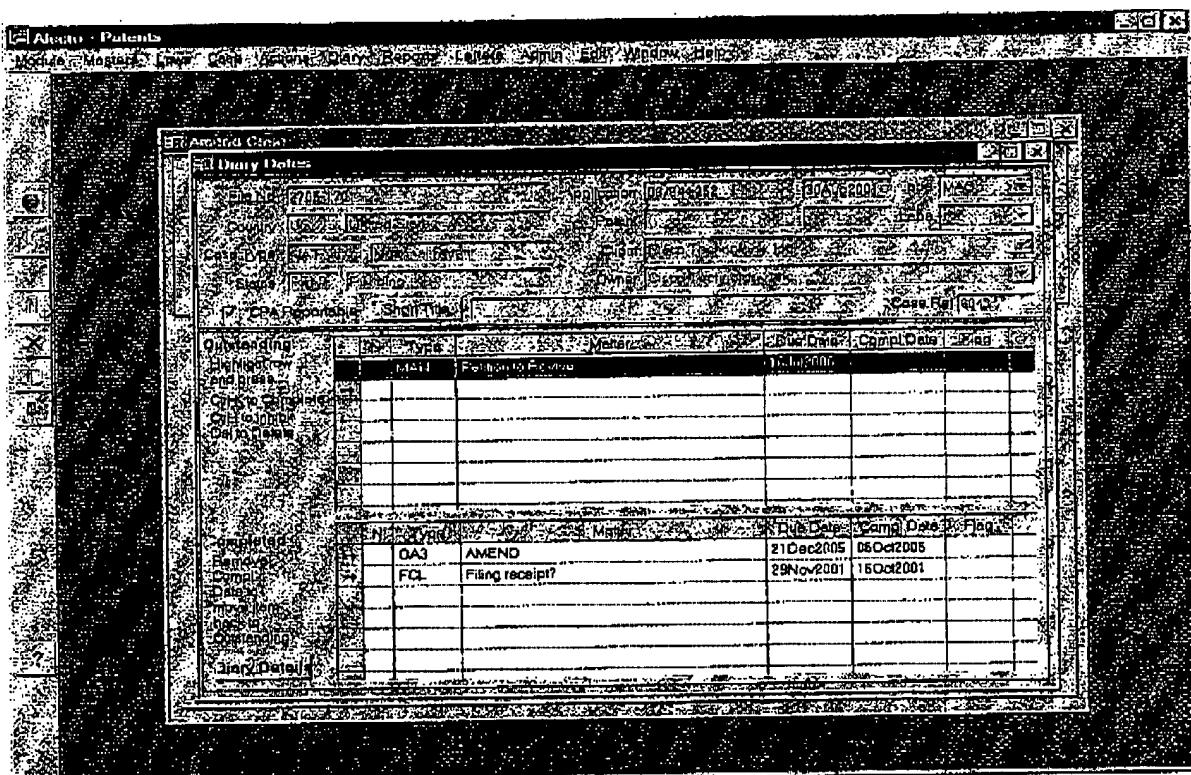
Google Search

Help	Application Number: 09944252	Customer Number: 21073														
Feedback	Filing or 371(e) Date: 08-30-2001	Status: Abandoned - Failure to Pay Issue Fee														
Other Links	Application Type: Utility	Status Date: 05-16-2006														
Information on Patents	Examiner Name: YAO, KWANG BIN	Location: Location Data														
Patentee Information	Group Art Unit: 2610	Earliest Publication No.:														
Information on Inventors	Confirmation Number: 4300	Latest Publication Date:														
Information on Attorneys	Attorney Docket Number: 2705-170	Patent Number:														
Information on Assignees	Class/ Sub Class: 370/232	Issue Date of Patent:														
Information on Examiners	First Named Inventor: Remesh Kalimuthu, Fremont, CA (US)															
Title Of Invention: DEVICES, SOFTWARES AND METHODS FOR DYNAMIC BANDWIDTH ALLOCATION FOR ATM CONNECTIONS																
Select Search Options <input checked="" type="checkbox"/> Application <input type="checkbox"/> Display References <input type="checkbox"/> Image File Wrapper <input type="checkbox"/> Patent Term Adjustment History																
File History <table border="1"> <thead> <tr> <th>Date</th> <th>Content Description</th> </tr> </thead> <tbody> <tr> <td>05-16-2006</td> <td>Mail Abandonment for Failure to Pay Issue Fee</td> </tr> <tr> <td>05-16-2006</td> <td>Abandonment for Failure to Pay Issue Fee</td> </tr> <tr> <td>03-24-2006</td> <td>Case Docketed to Examiner in GAU</td> </tr> <tr> <td>03-22-2006</td> <td>Correspondence Address Change</td> </tr> <tr> <td>01-05-2006</td> <td>Mail Notice of Allowance</td> </tr> <tr> <td>01-05-2006</td> <td>Notice of Allowance Date Verification - Final</td> </tr> </tbody> </table>			Date	Content Description	05-16-2006	Mail Abandonment for Failure to Pay Issue Fee	05-16-2006	Abandonment for Failure to Pay Issue Fee	03-24-2006	Case Docketed to Examiner in GAU	03-22-2006	Correspondence Address Change	01-05-2006	Mail Notice of Allowance	01-05-2006	Notice of Allowance Date Verification - Final
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Done

EXHIBIT A

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Page 1 of 1

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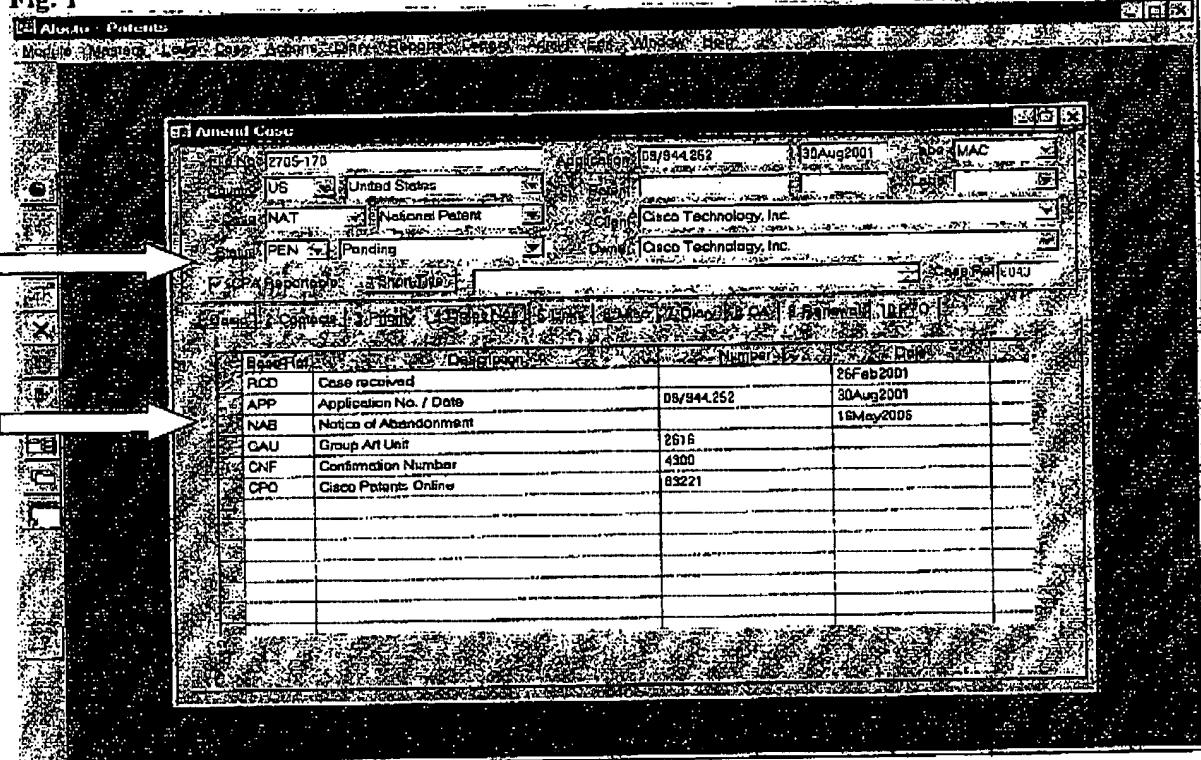
Memo re: 2705-170
May 26, 2006

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In support of the Petition to Withdraw Holding of Abandonment Under 37 CFR §1.181(a), following is an explanation of our docket record, specifically with regard to our procedure for docketing a Notice of Allowance.

Fig. 1 is a screen print of our docketing database interface, showing that no Notice of Allowance was entered. Had a Notice of Allowance been received, the "Status" field would have been changed to "Allowed", and "Notice of Allowance" would have been entered in the "Dates & Nos." section.

Fig. 1

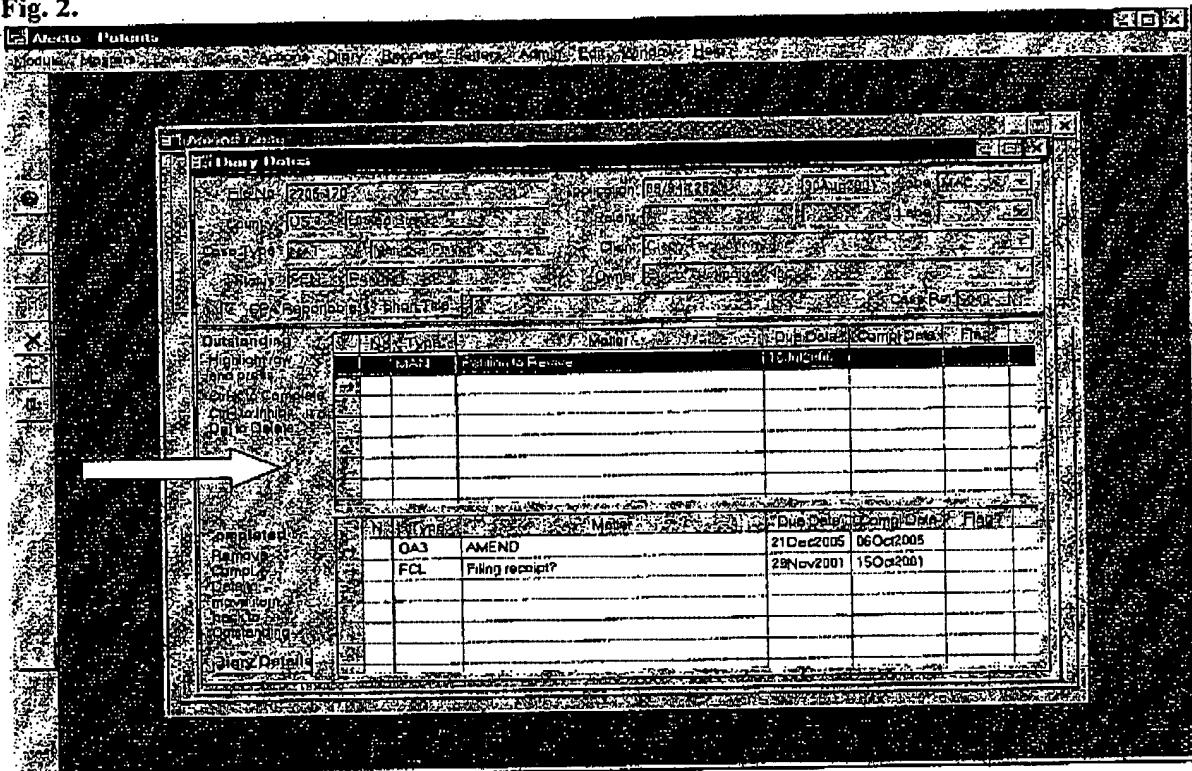


Referring now to Fig. 2, had a "Notice of Allowance" base date been entered, an "Issue fee" due date would have been calculated, and would appear in the "Diary Dates" section of the database interface (Fig. 2).

EXHIBIT C
Page 1 of 2

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Fig. 2.

**EXHIBIT C**
Page 2 of 2**BEST AVAILABLE COPY**